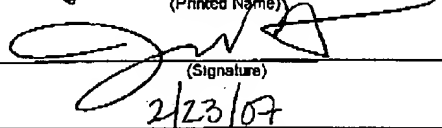


FEB 23 2007

Atty. Dkt. No. 048772-0801
(formerly 0005.US00)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CHEN et al.
Title: VIRTUAL SHARED
DATABASES
Appl. No.: 09/819,358
Filing Date: 3/28/2001
Examiner: Leroux, Etienne Pierre
Art Unit: 2161
Confirmation Number: 3309

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Julienne P. Britt (Printed Name)  (Signature) 2/23/07 (Date of Deposit)

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the New Pre-Appeal Brief Conference Pilot Program, announced July 11, 2005, this Pre-Appeal Brief Request is being filed together with a Notice of Appeal.

REMARKS

Claims 1, 5-9, 11, 12, 16, 20, 22, 26-29, 32, 33, 35-38, 40, 45, 47 and 53 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,506,393 to Ziarno (hereinafter "Ziarno I") in view of U.S. Patent No. 6,519,572 to Riordan et al. (hereinafter "Riordan"). Applicant respectfully traverses the rejection of claims 1-19 and 42 for at least the following reasons.

Embodiments of the present invention relate to novel database structures and methods and systems for storing and analyzing data within a database. In one embodiment, virtual data

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islands are partitioned inside a database, each virtual data island containing data owned by a specific client engaged, for example, in a fundraising campaign. Data within each data island contains one or more constituent records having information about individuals, and each individual is assigned a unique identifier that is unique across the various data islands. A linking table of individual unique identifiers for constituent records, together with information identifying which of the data islands contain information about each constituent, may also be provided. The linking table allows database searching across islands and aids, for example, in speeding such searching.

Thus, embodiments of the present invention provide a way for data from numerous clients, such as various nonprofit organizations, to be stored such that each client can opt to share the data with other clients. To facilitate this sharing, each individual is assigned a unique identifier. As disclosed in the specification, the individuals in the database "share a common unique identifier across the various virtual data islands." Each of independent claims 1, 22, 35, 36, 38 and 45 recite "the unique identifier for an individual being common across the virtual data islands."

The cited references fail to teach or suggest at least this feature of the pending claims. In the latest Office Action, the Examiner argues that Ziarno I discloses the unique identifier by disclosing that a receipt is produced for a contribution by a contributor. Applicant respectfully disagrees with this interpretation of the disclosure of Ziarno I.

The cited portion of Ziarno I discloses:

Preferably, a receipt generator (a printer 821 and associated circuitry 823) is located on or near a donation kettle 100. In an alternate embodiment, the receipt generator may be located at a remote location. The receipt generator produces a receipt for a single donation or a plurality of donations. In one embodiment, a donation kettle 100 communicates, via a communication link, preferably an RF (radio frequency) communication link or an infra-red communication link, with the receipt generator. In another embodiment, a donation kettle 100 communicates donation and contributor information, via a communication link to terminal 120. Terminal 120 then communicates the contributor and donation information to the receipt generator. The communication consists of information about the contributor, the donation, the date, the intention for which the donation was given,

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and the like. The receipt generator processes the information about the contributor and the donation to generate a receipt. The receipt may be generated automatically by the receipt generator to be picked up by the contributor at or soon after visiting the donation kettle 100, or may be generated for mailing or faxing to the contributor. A contributor of a charitable organization may desire the receipt for tax purposes.

Ziarno I, col. 9, lines 45-67.

Nothing in the cited portion of Ziarno I teaches or suggests a unique identifier for an individual that is common across virtual data islands. The cited portion quoted above merely provides for a tax receipt to be generated for one or more donations at a single donation kettle. The receipt is generated either at the donation kettle site or at a remote location but, nevertheless, is still based on donations at a single donation kettle. Nothing in Ziarno I teaches or suggests that the receipt is based on donations at multiple donation kettles. Furthermore, as further evidence of Ziarno I lacking such a teaching or suggestion, nothing in Ziarno I indicates how donations at multiple donation kettles would be directed to a single tax receipt. There is no indication that anything about the receipt or communication between the donation kettle and the remote terminal includes a unique identifier for an individual that is common across the various donation kettles.

Thus, Ziarno fails to teach or suggest at least a "unique identifier for an individual being common across the virtual data islands," as recited in each of the independent claims. Riordan is cited by the Examiner as teaching a linking table. Riordan fails to teach or suggest the "unique identifier" of the present invention.

In order to establish a prima facie case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. § 2142

Since the cited references fail to teach or suggest at least one limitation of the independent claims, claims 1, 22, 35, 36, 38 and 45 are patentable. Claims 5-9, 11, 12, 16, 20, 26-29, 32, 33, 37, 40, 47 and 53 depend, either directly or indirectly, from allowable independent claims and are, therefore, patentable for at least that reason, as well as additional patentable features when those claims are considered as a whole.

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Claims 17, 42, 48 and 49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ziarno I in view of Riordan and further in view of U.S. Patent No. 6,539,446 to Chan. Claims 10, 13-15, 41, 43, 44 and 50-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ziarno I and Riordan, and further in view of U.S. Patent No. 6,308,201 to Pivowar et al. Claims 18, 30 and 31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ziarno I in view of U.S. Patent No. 5,665,952 to Ziarno. Claims 19, 21 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ziarno I in view of U.S. Patent No. 6,535,871 to Romansky et al.

Claims 10, 13-15, 17-19, 21 and 52 depend from allowable claim 1; claims 30, 31 and 34 depend from allowable claim 22; claims 41-44 depend from allowable claim 38; and claims 48-51 depend from allowable claim 45. Thus, claims 10, 13-15, 17-19, 21, 30, 31, 34, 41-44, 48-52 are patentable for at least that reason, as well as additional patentable features when those claims are considered as a whole.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance.

Respectfully submitted,

Date February 23, 2007

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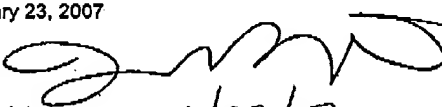
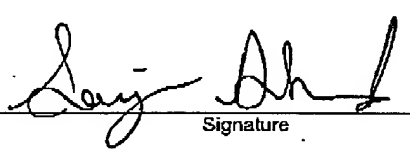
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PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 048772-0801 (formerly 005.US00)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] On February 23, 2007 Signature  Typed or printed name 2/23/07		Application Number 09/819,358 First Named Inventor Jeane S Chen Art Unit 2161	Filed 3/28/2001 Examiner Leroux, Etienne Pierre
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number 51,182 <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34		 Signature Sanjeev K. Dhand Typed or Printed Name (858) 847-6860 Telephone Number February 23, 2007 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input checked="" type="checkbox"/> *Total of 1 forms are submitted.			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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